

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

SHAEFFER COLEMAN,

Plaintiff,

V.

JUDGE J. LAIRD, et al.,

Defendants.

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Case No.: 1:11-50-VEH-RRR

MEMORANDUM OF OPINION

The Magistrate Judge filed a Report and Recommendation on February 15, 2011, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief may be granted. Plaintiff filed objections to the Report and Recommendation on March 2, 2011. (Doc. #7). Plaintiff objects to the Magistrate Judge characterizing his claim as one for a *writ of habeas corpus* and finding that relief cannot be granted pursuant to 42 U.S.C. § 1983.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the Report and Recommendation and the objections thereto, the court is of the opinion that the Magistrate Judge's Report is due to be and is hereby **ADOPTED** and the Recommendation is **ACCEPTED**. Accordingly, the complaint

is due to be dismissed pursuant to 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief may be granted, or seeking monetary relief from Defendants who are immune. A Final Judgment will be entered.

DONE this the 28th day of March, 2011.

A handwritten signature in black ink, appearing to read "VE Hopkins", written over a horizontal line.

VIRGINIA EMERSON HOPKINS
United States District Judge